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REPORTS

OF

TERRITORIAL OFFICERS

OF

COLORADO TERRITORY

CONSISTING OF

AUDITOR, TREASURER, ADJUTANT GENERAL, LIBRARIAN, AND SCHOOL SUPERINTENDENT,

MADE TO THE

SEVENTH GENERAL ASSEMBLY OF THE LEGISLATURE OF COLORADO TERRITORY, AT GOLDEN CITY, DEC 3D 1867

CENTRAL CITY

PUBLISHED BY DAVID C COLLIER, REGISTER OFFICE

1867.

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ANNUAL REPORT

OF THE

TERRITORIAL AUDITOR

OF COLORADO.

AUDITOR'S OFFICE,

November 30, 1867.

To the Honorable, the Legislative Assembly of Colorado Territory:

Pursuant to law, I have the honor of submitting to your honorable body an exhibit of the affairs of the Territory, for the year ending November 30th, A. D. 1867, as shown by the books in my office; also estimates of the following year's expenditures and revenue.

Total amount of warrants issued during the year, $24,527.26

Statement of expenditures showing the amount of warrants drawn upon and the amount still remaining to the credit of each fund.

FUND.	AM'T OF EXPENDITURES.		AMOUNT UNDRAWN.	
Legislative,	12,407	90	1,973	05
Territorial Superintendent's salary			95	22
" " contingent	3	00	417	50
" Librarian's salary			746	67
" " contingent	85	00	360	00
Special			1,359	50
Territorial Officers' contingent	100	50	1,318	19
" " salary	1,490	80	5,187	98
Adjutant General, special	33	00	395	40
General contingent	1,641	36	7,918	43
Military debt interest	1,535	70	4,176	40
Special (Chas. G. Cox)			700	00
Adjutant General contingent			300	00
Paupers			4,000	00
Judges' salary	4,750	00	1,250	00
Special (printing laws in Spanish)	2,480	00	20	00
	$24,527	26	$30,218	34

ESTIMATED EXPENDITURES.

Estimated expenses, amount of appropriation undrawn, and estimated appropriations necessary to defray the expenses of the Territory to November 30th, A. D. 1868.

FUND.	ESTIMATED EXP'DITURES.		AMOUNT UNDRAWN.		ESTIMATED APPROPR'NS.	
Legislative	13,000	00	1,973	05	11,500	00
Territorial Officers' salary	3,000	00	5,187	98		
" " contingent	500	00	1,318	19		
General contingent	3,000	00	7,918	43		
Military debt interest	2,500	00	4,176	40		
Judges' salary	7,250	00	1,250	00	6,000	00
	$29,250	00	$21,824	05	$17,500	00

RESOURCES OF THE TERRITORY.

Due by counties	40,072	21		
Less forty-five per cent., probable amount unredeemable	18,032	49	22,039	72
Probable tax for 1868			23,620	82
			$45,660	54

BALANCE DUE BY COUNTIES.

Arapahoe	$4,761	37
Boulder	1,880	47
Clear Creek	2,237	43
Conejos	1,037	39
Costilla	1,914	17
Douglas	1,189	08
El Paso	923	15
Fremont	1,058	18
Gilpin	13,410	05
Huerfano	682	22
Jefferson	4,971	35
Lake	435	17
Larimer	782	06
Park	1,240	57
Pueblo	1,693	46
Saguache	103	75
Summit	652	98
Weld	1,099	36
Total amount due by counties	$40,072	21

Amount of certificates of indebtedness due April 29th, 1870, issued and still to be issued to 1st Regiment of Mounted Militia.

Total amount due First Regiment Militia, as per roll furnished by the Adjutant General			$42,169	50
Certificates issued prior to November 30th, 1866	$29,868	00		
Certificates issued from November 30th, 1866, to November 30th, 1867	$5,065	50	$34,933	50
Certificates to be issued			$7,236	00

Valuation of taxable property in the Territory, as per abstracts of Assessments for the year 1867.

Boulder	$515,639	00
Clear Creek	717,596	00
Conejos	108,797	00
Costilla	224,226	00
Douglas	306,779	00
El Paso	304,037	00
Fremont	163,592	00
Gilpin	2,727,275	00
Jefferson	1,055,868	00
Lake	75,963	00
Larimer	232,297	00
Park	174,622	00
Pueblo	366,701	00
Saguache	34,584	00
Summit	87,299	00
Weld	423,982	00
No returns having been received from Arapahoe		00
and Huerfano counties, I have estimated the		00
aggregate amount from the assessments of		00
previous years at	4,291,151	00
	$11,810,408	00

During the present fiscal year, several claims have been presented by different parties, for articles furnished the volunteers under the Governor's call, and expenses incurred during the indian campaign of the last summer. No appropriation having been made to pay such expenditures, I declined auditing such claims. Said claims will probably not exceed the amount of five thousand dollars, and as the expenses were incurred by the Territorial officers in good faith, and for the public safety, I would respectfully suggest that the Auditor be authorized to draw warrants upon the general contingent fund in payment of said claims, or that a separate appropriation be made therefor. All of which is respectfully submitted.

RICHARD E. WHITSITT,
Auditor.

GOLDEN CITY, COLORADO,
November 25th, 1867.

We the undersigned appointed by the Secretary of the Territory of Colorado for the purpose of settling with the Auditor and Treasurer of said Territory, have examined the accounts of

Richard E. Whitsitt, Auditor of said Territory, from the first day of December, A. D. 1866, to the 30th day of November, A. D. 1867, both days inclusive, and find the same correct.

The total amount of warrants issued during the year we find to be twenty-four thousand five hundred and twenty-seven dollars and twenty-six cents ($24,527.26).

HUGH BUTLER, *Member of the Council.*
B. B. STILES, *Member of the House.*
STEPHEN DECATUR, *Member of the House.*

ANNUAL REPORT

OF THE

TERRITORIAL TREASURER

OF COLORADO.

TREASURY DEPARTMENT, COLORADO TERRITORY,

Golden City, November 30, 1867.

The Honorable Legislature of Colorado Territory:

GENTLEMEN: Inclosed I have the honor to present the following statement of the business done in this department during the year 1867.

Very respectfully, your obedient servant,

COLUMBUS NUCKOLLS,

Territorial Treasurer.

Balance in treasury, as per Treasurer's report, December 12, 1866,.....	$1,638.04
Total amount of revenue and special military tax received to date.....	23,765.56
	$25,403.60

EXPENDITURES.

Amount of warrants redeemed from December 12, 1866, to Jan. 28, 1867.....	$8,053.14	
Amount of warrants redeemed from Jan. 28, to Nov. 20, 1867.....	15,674.98	
Amount of interest paid from Jan. 28 to Nov. 20, 1867.....	88.09	
Amount of mileage paid from Jan. 28 to Nov. 20, 1867, ...	132.40	
Judges' salary paid.....	1,000.00	24,948.61
Nov. 20, 1867, balance in treasury.....		$454.99

Statement of disbursements from the different funds of the Territory from December 12, 1866, *to November* 20, 1867.

Legislative fund.....		$12,238.47	
Territorial library contingent fund.....		34.00	
General contingent fund or Auditor's warrants.....	$1,830.47		
Interest on Auditor's warrants	88.09		
Mileage to county treasurers	132.40	2,050.96	
Special fund.....		83.25	
Colorado Agricultural Society.....		500.00	
Adjutant General's salary fund.....		91.67	
Territorial officers' contingent fund.....		162.47	
Territorial officers' salary fund.....		2,551.09	
Military debt interest fund.....		4,388.10	
Adjutant General's special fund.....		1,396.60	
Special Spanish printing fund.....		300.00	
Judges' salary fund.....		1,000.00	
Newspaper fund.....		52.00	
		$24,948.61	

Statement of the amount of scrip issued, redeemed and outstanding.

Balance of warrants issued in '61, '62, '63, '64, '65, and '66, outstanding per Auditor's last report.....			$9,866.12
Redeemed in 1867.....			9,835.61
			30.51
Total amount of warrants issued in 1867	$29,441.03		
Redeemed.....		13,595.63	15,845.40
Balance outstanding.....			$15,875.91

Statement showing the amounts due from the several counties, as per Treasurer's report, December 12th, 1866, with additional assessments added thereto for the year 1867, the receipts into the treasury and balances due from said counties at the date of this report, and of the counties failing to render abstracts of assessments.

	BAL. DUE DEC. 12, 1867.		ASSESSMENT 1867.		TOTAL.		AMOUNT. PAID.		BALANCE DUE.	
Arapahoe....	13,712	23	No rep't		13,712	23	8,950	86	4,761	37
Boulder	.....	...	.....	...	.....	...	182	82	.....	...
Clear Creek.	717	75	.....	...	717	75	633	10	84	65
Conejos	411	00	.....	...	411	00	.....	...	411	00
Costilla.....	1,625	67	.....	...	1,625	67	384	18	1,241	49
Douglas.....	765	07	.....	...	765	07	496	33	268	74
El Paso.....	785	50	.....	...	785	50	774	46	11	04
Fremont.....	237	10	.....	...	237	10	.....	...	237	10
Gilpin.....	12,335	81	.....	...	12,335	81	7,107	62	5,228	19
Huerfano.....	682	22	.....	...	682	22	.....	...	682	22
Jefferson.....	2,932	22	.....	...	2,932	22	1,128	47	1,803	75
Lake.....	422	02	.....	...	422	02	214	75	207	27
Larimer.....	747	29	.....	...	747	29	662	12	85	17
Las Animas.	.....	...	.....	...	.....	...	.....	...	.....	...
Park.....	1,185	60	.....	...	1,185	60	468	90	716	70
Pueblo	387	60	.....	...	387	60	652	00	.....	...
Saguache	.....	...	.....	...	.....	...	.....	...	.....	...
Summit	161	17	.....	...	161	17	.....	...	161	17
Weld	1,237	36	.....	...	1,237	36	959	95	277	41
1st Jud'l Dist.	.....	...	.....	...	.....	...	.....	...	.....	...
2d " "	.....	...	.....	...	.....	...	1,150	00	.....	...
3d " "	.....	...	.....	...	.....	...	.....	...	.....	...
	38,345	61	.....	...	38,345	61	23,765	56	11,177	27

The above statement includes all the receipts from all sources, including the amount received from the several counties as surplus military tax, which when paid into the Territorial treasury as a separate fund, can be disbursed for the general military expenses of this Territory.

In addition to this, I have opened a separate account with the counties or county that have paid into the Territorial treasury whatever moneys have been received from the sale of mining claims, set apart to form a special school fund for the benefit of Territorial schools.

Statement of the amount of money received and the amount expended of the same, on account of the special school fund derived from the sale of school mining claims during the year beginning December 12, 1866, *and ending November* 20, 1867.

COUNTIES.	AMOUNT DUE.		AMOUNT PAID.		AMOUNT EXPENDED.		BALANCE ON HAND.	
Clear Creek	440	00	440	00	133	33	306	67
Gilpin	4,815	00	4,815	00	1,840	95	2,974	05
Total	5,255	00	5,255	00	1,974	28	3,280	72

I would respectfully call the attention of the Legislative Assembly of Colorado Territory to the following points, which would render the settlement of the dues of the several counties in this Territory more just and more certain than our laws at present permit, viz.:

1st. To define by law the vague construction of the fee bill allowed and the recompense attached to the duty of the several county treasurers collecting the Territorial taxes.

2d. To pass some stringent law by which county officials will be compelled to make returns to the Territorial Treasurer monthly, or whenever in his opinion they have neglected to attend to the collection of the general Territorial revenue.

3d. To define the responsibility of the county Commissioners and county Treasurers in the bond given by the latter, to enable the Territory to recover the penalty prescribed by law for neglect in reporting the fiscal condition of the several counties in this Territory, and the yearly assessment returns.

4th. I would also respectfully suggest that some act or regulation be made by which whenever any county, either from inability or from neglect, or from any cause whatever, the necessary county organization is not completed, that power be given to the Governor, Secretary, Territorial Treasurer and Auditor, to appoint an Assessor and Collector for such county or counties, who will have sufficient power given them to make and complete an assessment roll, upon which roll a tax can be levied, not exceeding the maximum prescribed by law for Territorial purposes, with a sufficient amount of county tax to pay for the expense of assessment and collection, the printing and all incidentals necessary to carry out a just and impartial return of the same, and render by this means the burden of the Territorial expenses more equal and just.

5th. That whenever, by a new election, the office of county Treasurer changes hands, that the new Treasurer, when he qualifies, should report immediately to the Territorial Treas-

urer the fact, and whether the former incumbent has turned over all funds belonging to the Territory, and that if not done, the Honorable Legislature provide by statute a prompt remedy for the same, and that the Territorial Treasurer be empowered to demand immediately a settlement and transfer of funds.

6th. I would also ask that the Legislature prescribe what disposition is to be made of the canceled vouchers of the Territorial Treasurer up to November 30th, 1867, and thereafter, and if to be retained in the custody of the Territorial Treasurer, that a safe be procured to preserve them intact with the other archives.

I have also the honor to inform the Honorable Legislature of Colorado Territory that I have received from Clear Creek county the following amount derived from the sale of the mining claims set apart for the relief of disabled, sick and indigent miners, and have paid out for the necessary expenses of their maintenance or assistance, as follows, viz.:

MINERS' RELIEF AND TERRITORIAL POOR FUND.

COUNTIES.	AMOUNT DUE.	AMOUNT EXPENDED.	BALANCE ON HAND.
Clear Creek.....	2,286.06	1,056.56	1,229.50

Respectfully, your obedient servant,

COLUMBUS NUCKOLLS,

Territorial Treasurer and Superintendent.

ANNUAL REPORT

OF THE

ADJUTANT GENERAL

OF COLORADO.

ADJUTANT GENERAL'S OFFICE, TERRITORY OF COLORADO,
Central City, November 30, 1867.

To Hon. Frank Hall, Acting Governor C. T.:

SIR: I have the honor to submit herewith the report of the Adjutant General's Department from May 1st to December 1st, 1867. I am, sir, very respectfully, &c.,

HAL SAYR,
Adjutant General, C. T.

ADJUTANT GENERAL'S OFFICE, TERRITORY OF COLORADO,
Central City, November 30th, 1867.

Hon. Frank Hall, Acting Governor, C. T.:

SIR: Immediately on my appointment to the office of Adjutant General, in May last, I proceeded to take possession of the books and papers of the department, which I found—together with soiled linen, old clothes, dilapidated hats, and what appeared to be the remains of a convivial gathering—a chaotic mass carpeting the floor of the room formerly occupied by my predecessor as an office, in the Executive building at Golden

City. The books and papers I collected together and moved to Central City, where I have since made my headquarters.

Upon reducing the records and files of the office to order, I found many papers missing, which are indispensable to the complete military record of the Territory during the rebellion; and for want of which, scarcely any information can be furnished in reply to letters daily received, asking information in cases of back pay, bounties and pensions due from the United States to missing men.

Complete muster-out rolls are wanting for the whole of the First Regiment, companies "A" and "B" of the Second Regiment, and company "D" of the Third Regiment of Colorado Volunteer Cavalry. I find by a perusal of the report of Adjutant General Tappan for the year 1866, (which has never been published) that under the act approved February 7th, 1866, entitled "An act to provide for the military record of the First, Second and Third Regiments of Colorado Volunteers, lately in the service of the United States," complete muster-out rolls had been obtained of *all* but two companies of these regiments. What disposal has been made of these papers, I am unable to conjecture. There has been expended of the $1,000 appropriated by the act above referred to, $641.60, for which amount there appears nothing in the office but one blank book.*

The necessity for the record provided for by the above named act, is daily becoming more absolute, and years hence when pensions shall have been awarded the surviving members of our regiments, unless steps are now taken to perfect their record, they may be unable to substantiate their claims to that which is so justly their due.

ORDNANCE AND ORDNANCE STORES.

On making a thorough examination of the books and files of my office, I found nothing to show that the Territory was the owner of a single gun or round of ammunition; but upon inquiry I learned that there were Territorial ordnance and ordnance stores in both Golden City and Denver. About May 20th I proceeded to make an examination of the said stores. I found at Golden City three hundred and forty Warner's carbines and five hundred accoutrements belonging thereto, all in good condition. I found also about three hundred Austrian rifles, which for active service would be useless. At Denver I found forty-two cases (42,336 rounds) of fixed ammunition for the Warner carbines, the foregoing constituting the whole of the available ordnance and ordnance stores of the Territory.

Since taking the foregoing invoice, there has been purchased by (then acting) Governor Hunt, saddles, bridles, blankets, and

* Adjutant-General Tappan doubtless made a judicious expenditure of money,—and nearly completed the military records,—leaving the office in a very perfect condition. The missing papers were without doubt lost during the interval which occurred between his term of office and mine.

other cavalry equipments, costing about one thousand dollars.

Of the foregoing described property there was issued, by your order, during the month of May:

To Wells, Fargo & Co., two cases (40) Warner carbines, for protection of express route between Denver and Salt Lake City.

To the United States Express Co., one case (20) Warner carbines.

To Henry Carlyle, ten (10) Austrian rifles.

Bonds were taken for the safe return of all the above arms.

About June 1st Governor Hunt returned from the east, and during the indian excitement issued as follows:

To Col. H. Glaze, six (6) carbines and accoutrements.
" Wells, Fargo & Co., seven (7) carbines.
" " " " nine (9) "
" " " " ten (10) "
" Lafayette Head, four (4) " and accoutrements.
" L. J. Webber, two (2) "
" Wm. Ashley, four (4) "
" S. P. Ashcraft, twelve (12) " "
" James M. Wilson, one (1) " "
" James M. Smith, two (2) "
" W. U. Telegraph Co., two (2) "
" E. L. Berthoud, six (6) "
" C. A. Coryell, six (6) "
" Frank D. Yates, one (1) "
" J. B. Wolff, one (1) "
" Rev. Richardson, five (5) "
" M. Wall, seventy-two rounds of cartridges.

There has been issued by Governor Hunt, to a company of militia on Big Thompson Creek, (which company never perfected its organization) forty (40) Warner carbines and accoutrements.

There was also issued by Governor Hunt:

To M. Wall, ten (10) Austrian rifles.
" N. F. Webber, thirteen (13) Austrian rifles.
" P. P. Wilcox, ten (10) " "
" G. W. Hazzard, one (1) " "
" Andrew Hagon, one (1) " "
" Thomas Hartman, two (2) " "
" Geo. Cagl, four (4) " "
" Webber & Bro., ten (10) " "
" Wm. M. Crull, seven (7) " "
" L. J. Webber, eight (8) " "

Mere receipts were taken for the return of these arms and equipments, generally specifying that they were to be returned when indian troubles ceased, and in some cases giving permis-

sion to leave them at some ranch or station within the Territory.

On the 25th inst. I received from the Executive Clerk at Golden City, an invoice of ordnance and ordnance stores turned over by the general government to Governor Evans, for the Territory of Colorado. This invoice was as follows:

500 Warner carbines.
500 brush wipers and thongs.
500 screw-drivers.
50,000 carbine cartridges.
75 packing boxes.

Of the three hundred and forty carbines shown by my invoice of May 20th, there have been issued one hundred and seventy-eight. There are now in possession of Governor Hunt, in Denver, seventy, making a total of two hundred and forty-eight (248) on hand and accounted for. There still remains ninety (90) unaccounted for, the loss of which can be attributed only to gross neglect, and an entire absence of any system at the time of their issue during the indian excitement.

Of the original five hundred (500) carbines, there are two hundred and fifty-two missing, making in the aggregate a loss to the Territory of four thousand two hundred and eighty-four (4, 284) dollars.

Of the original fifty thousand (50,000) rounds of ammunition, there remain seventeen thousand one hundred and thirty-six only.

As over one-half the original number of the arms are missing—unaccounted for—it is but just to suppose that at least half the ammunition missing was taken with those arms. The original cost of this ammunition was one thousand three hundred and fourteen dollars and fifty-six cents, making a total loss of five thousand five hundred and ninety-eight dollars and fifty-six cents ($5,598.56).

FRIENDLY INDIANS.

On the first day of June, the *friendly* indians within our borders, having exhausted the immense stores of their commissary department, which, by their *honest* exertions, had been accumulated during the years '64, '65 and '66, and having necessarily expended nearly all their ordnance stores in the prosecution of that laudable enterprise, the said ordnance stores having been furnished by the general government, through its faithful and impecunious servants, the indian agents, proceeded to make a *requisition* on the United States for a further supply of ordnance and ordnance stores, which they did by blockading about two hundred miles of the Platte route, and killing, and burning the houses of a number of that worthless and

troublesome tribe known as Frontier-set-tlers (vide New York *Tribune*). The general government immediately dispatched a commission to receive the requisition.

Communication with the east being thus cut off, Governor Hunt, who had just returned from Washington, issued the following

CALL FOR VOLUNTEERS.

To Jacoh Downing, Joseph C. Davidson, E. L. Berthoud, John B. Wolff, James Burrell, Jas. D. Scoby, Sam. D. Hunter, Chas. P. Patterson, John H. Coats, M. M. Craig, U. B. Holloway, and Joseph Wolff:

GENTLEMEN: You and each of you are hereby authorized to enroll a company of mounted minute men, (60 being the minimum number of each company) to be in readiness, when mounted, for any emergency, to be commanded by you in person.

Should it be found impracticable to enroll a full company, twenty (20) men will entitle any of you to a second lieutenancy, and twenty-five (25) men to a first lieutenancy.

The vacant positions of captains, lieutenants, and non-commissioned officers, will be filled by vote of your respective companies, from the enrolled men.

Field and staff officers will be appointed by ballot election of the battalion organized after rendezvous. Owing to the low condition of the finances of the Territory, I would counsel you to incur no expense except for advertising, which will be assumed by this office, and enrollment lists, which will be furnished by the Adjutant General of the Territory, when you signify your willingness to comply with the above requirements.

Given under my hand at Denver, this first day of June, 1867.

[Signed,] A. C. HUNT,
Governor Colorado Territory.

No men were raised under this call; in fact, no one tried to raise any.

The following telegram was at this time dispatched by Governor Hunt to General Sherman, at Omaha:

Our people are too poor to offer anything but muscle; have plenty of that. Will the government back us in the expense of a campaign?

[Signed,] A. C. HUNT,
Governor.

To which General Sherman replied:

Governor Hunt:

There is no law to pay for volunteers, but you ought to raise a regiment of five hundred men, and have them ready in case I call for them. I will be at Fort Sedgwick in a few days, and I don't believe yon will have imminent trouble with the indians there, if your people will be ordinarily prudent.

[Signed,] W. T. SHERMAN,
Lieutenant-General.

The following telegram was also received from General Sherman:

OMAHA, June 2, 1867.

To Governor Hunt, Denver:

Your dispatch of yesterday is received. There is no doubt but there are bands of indians at mischief everywhere; but where and against what indians do you propose a campaign?

[Signed,] W. T. SHERMAN,
Lieutenant-General.

To which Governor Hunt replied:

DENVER, June 4, 1867.

General W. T. Sherman, Omaha:

I have three hundred carbines only to form an armament. I have no money or credit with which to equip the five hundred men standing ready to go on a campaign.

I would move down the Platte and Smoky in separate columns, and carry the war to the villages of the indians, which would soon develop the whereabouts of the warriors. An indian war now exists over a country two thousand by one thousand miles in extent, and I know you have not troops to guard half so much territory. We have no fears of the safety of our city or its immediate surroundings. It is only our ranch settlements that are menaced, and many lives will be sacrificed if this state of affairs continues. Have no fears of our making war on indians now peaceable.

[Signed,] A. C. HUNT,
Governor Colorado.

General Sherman finally advised the raising of three hundred volunteers and proposed to recommend the payment of the expenses thereby incurred, by the general government. He at the same time telegraphed as follows to General G. P. Ihrie, in Denver:

FORT SEDGWICK, June 8, 1867.

General G. P. Ihrie:

I have consented that Governor Hunt may dispatch three hundred (300) volunteer militia eastward to the head of the Republican, and unless they start to-day or to-morrow, so as to co-operate with General Custar, they will not do at all. They don't want quartermaster or commissaries, but must carry their food on their horses. When Governor Hunt telegraphs me that they are ready, I may get you simply to call the rolls of companies, and certify that the men are real and not fictitious. I think the indians are already off for the north or for the Arkansas.

The volunteers in question cannot be paid at all till Congress appropriates specially, and I will not sanction the movement unless it be rapid and immediate. We don't intend to buy horses at all.

Show this to Governor Hunt, and caution the Smoky Hill line of stages to be on their guard between Denver and Fort Wallace, where Hancock will soon be.

[Signed,] W. T. SHERMAN,
Lieutenant-General.

Upon receipt of this telegram, Governor Hunt issued the following

PROCLAMATION.

To the Loyal Soldiers' Club of Denver:

In pursuance of the telegram this day received from the Lieutenant-General commanding this department, you are hereby authorized to enroll one or more companies of volunteers to serve for not less than sixty days, upon the expedition indicated in General Sherman's dispatch.

These companies will consist of a maximum of seventy-five men; will be organized, equipped, mounted and subsisted as Colorado volunteers; will elect their own officers, who will be commissioned by the Executive, and be mustered into the service of the United States as militia.

One captain, one first lieutenant and one second lieutenant, one first sergeant, four sergeants, four corporals, and sixty-three enlisted men, two of whom will be appointed musicians by the captain, will constitute a company.

Should a battalion be organized, the members of the command will elect a major, who will, upon receiving his commission, appoint a staff, consisting of one adjutant, one quartermaster, who will act as commissary of subsistence, one surgeon, and one assistant surgeon, to be commissioned as first lieutenants, one sergeant major, and two musicians.

When the companies are filled and ready for the choice of battalion commander, they will notify His Excellency, the Commander-in-Chief, who will indicate a general officer to supervise the election.

Horses and subsistence, arms and equipage will be issued on proper requisitions upon Brigadier-General Hal Sayr, *ex-officio* Quartermaster General, who is charged with the execution of this duty.

[Signed,] A. C. HUNT,
Governor and Commander-in-Chief.

Under this proclamation there were raised three companies, making a total of one hundred and fifty, officers, non-commissioned officers and privates, who were mustered in by me as companies A, B and C, and were officered as follows:

Co. A, Fred. J. Stanton, captain, Albert Walter, first lieutenant, and John Chase, second lieutenant.

Co. B, Harry A. E. Pickard, captain, W. F. Peters, first lieutenant, Robert Brown, second lieutenant.

Co. C, David J. Cook, captain, Charles L. Cass, first lieutenant, Charles A. Coryell, second lieutenant.

Much credit is due these gentlemen for the prompt manner in which they responded to the call for volunteers, and the energy displayed in raising men to fill their respective companies.

Subsistence having been furnished by *voluntary* subscriptions and donations by the citizens of Denver, these troops went into camp in the immediate vicinity of the city, there to await the furnishing of horses and equipments.

Governor Hunt now made the purchase of the cavalry equipments referred to under the head of "Ordnance and Ordnance Stores," and at the same time used his utmost endeavors to raise the horses necessary for the mounting of the men already enlisted. This, without funds, was found to be an almost fruitless effort, and the following appeal was issued:

To the business men of Denver and the Territory generally:

Two hundred patriotic soldiers stand ready to enter the service of the Territory or the general government, to go on a campaign against the indians now menacing our settlements. Transportation and rations have already been supplied, but thus far no animals are forthcoming, with which to mount these men. I appeal to you for support in this emergency.

A proposition from Captain Shaffenberg was received last night, and pursuant to notice heretofore given, was accepted by me at 11 o'clock to-day, for three hundred horses, equipped complete, at one hundred and fifty-seven dollars per head, sub-

ject to inspection. Doubts as to the manner of payment and the time, have caused the Captain to reconsider this proposition. I am left, therefore, with this resort only, to ask if you, who have the preservation of lives, the prosperity of our citizens, and the safety of overland trade, at heart, will come forward and indemnify parties against loss who have the horses to spare.

As the Executive of the Territory, I pledge you I will do all, *everything*, in my power, to forward this enterprise, which seems so much to be needed, save making myself individually liable, or rendering my position ridiculous by transcending my authority.

I am, gentlemen, your obedient servant,

[Signed,] A. C. HUNT, *Governor.*

Notwithstanding the efforts made to raise the necessary horses, they were not procured, and the troops, after having laid in camp ten days, were mustered out.

Neither muster-in nor muster-out rolls of company A have been received at this office. Muster-in and muster-out rolls of company B have been received, both, however, containing the names of more men than were originally mustered in. Muster-in rolls only of company C have been received, these also containing the names of more men than were originally mustered in. I have understood—not, however, from an official source—that certificates of indebtedness were issued to about three hundred men on the muster-out of these troops, which would be double the number mustered in.

MILITIA CLAIMS AGAINST THE UNITED STATES.

On the 6th of June there arrived at Denver, Lieutenant Brownell, special agent of the general government, sent here for the purpose of examining and reporting on the validity of the claims of the Territory for certain horses and arms furnished Tyler's Rangers and the First Colorado Mounted Militia, and also to examine the claim of the Territory for services rendered by Renzelaer Smith's company of militia during the year 1865.

As the officers from whom this evidence was to be had were scattered throughout the Territory, and as the time involved in collecting the same would necessarily be considerable, Lieutenant Brownell furnished this office with full instructions as to the evidence necessary, and returned immediately to St. Louis, where the evidence, when received, was to be forwarded to him.

I immediately opened correspondence with the various officers able to furnish the evidence required, and after many and tedious delays, succeeded in collecting everything wanted, ex-

cept in the case of the company of Renzelaer Smith, above referred to, from none of the officers of which, although I addressed them repeatedly through the mails, could I get an answer. The evidence, which consisted of affidavits from the various officers, was forwarded through Governor Hunt to Lieutenant Brownell.

The failure to procure the evidence in the case of Renzelaer Smith's company, will reduce the Territorial account against the general government two thousand two hundred and thirty-one dollars ($2,231.00).

SOLDIERS' MONUMENT ERECTED AT SANTA FE, N. M.

During the current year there has been erected at Santa Fe, New Mexico, a monument in honor, and to perpetuate the memory of the heroes of the battles of "Valverde," "Apache Canyon," and "Pigeon's Ranch," in which the First Regiment of Colorado Volunteer Cavalry was engaged. The following invitation was extended to the Governor, soldiers and citizens of Colorado to be present at the dedication of the same:

SANTA FE, NEW MEXICO, October 1, 1867.

Governor:

The corner stone of the monument to be erected in honor of the dead heroes of the battle fields of "Valverde," "Apache Canyon," and "Pigeon's Ranch," (La Glorietta), in the Plaza of Santa Fe, our capital, pursuant to the wish of the people of this Territory, as expressed through the Governor and the Legislative Assembly, will be laid with appropriate ceremonies, on Thursday, the twenty-fourth day of the present month.

As Colorado mourns the loss of many of her brave sons, who on the battle fields of this Territory gave their lives in defense of the constitution and the Union, it is hoped that your Territory will be represented on the occasion.

In behalf, therefore, of the grateful people of New Mexico, we extend to you, and through you to the soldiers of Colorado regiments, and the people of the Territory of Colorado generally, an invitation to be present and participate in the ceremonies of the occasion.

We are, Governor,

With much respect, your most ob't serv'ts,

H. H. HEATH,
Secretary of Territory of New Mexico.

JOHN P. SLOUGH,
Chief Justice.

FELIPE DELGADO,
Treasurer Monument Association.

To the Acting Governor of Colorado Territory,
Golden City, C. T.

A call was issued for a meeting of the soldiers of Colorado, to appoint a committee to attend and participate in the ceremonies of laying the corner stone of the monument.

The meeting appointed the following named gentlemen as such committee, viz.: Governor John Evans, D. Washington Griffey, and Charles G. Chever, which committee proceeded to Santa Fe, New Mexico, and attended to the duty assigned them, and upon their return made the following report:

DENVER, November 3, 1867.

To the Soldiers of Colorado:

GENTLEMEN: In pursuance of your request, we were present at the ceremonies of laying the corner stone of the monument being erected by the Territory of New Mexico in memory of the patriotic dead who fell on her battle fields.

It was especially gratifying to your committee, as it must be to you, to witness this public work of respect to your fallen comrades, and the hospitality of the people of New Mexico, extended your committee, shows how fully they appreciate those we represented. As a mark of the gratitude felt by the people of that Territory for the valiant services rendered by them in the hour of their peril, they are worthy of your highest appreciation. But especially should their course in erecting this monument to the memory of those who fell in the cause of freedom and of our common country, commend their patriotism and loyalty to our warmest approbation and most hearty thanks.

Herewith please find a copy of the proceedings of the ceremony of laying the corner stone, and believe us,

Very respectfully, your obedient servants,

JOHN EVANS,
D. WASHINGTON GRIFFEY,
CHARLES G. CHEVER.

The corner stone was laid with proper Masonic ceremonies, and contained the following relics:

Constitution of the United States, Declaration of Independence, Organic Act of New Mexico, compiled laws of New Mexico.

1866–7 laws of the Territory of New Mexico, English.
1866–7 laws of the Territory of New Mexico, Spanish.
1866–7 journals of the Legislative Council, English.
1866–7 journals of the Legislative Council, Spanish.
1866–7 journals of the House of Representatives, English.
1866–7 journals of the House of Representatives, Spanish.
List of civil officers of the Territory.
List of military officers on duty in Santa Fe.

Specimens of coins of the United States, as follows:

One half dollar, coined A. D. 1755, silver; one quarter dollar, coined A. D. 1858, silver; one dime, coined A. D. 1854, silver; one half dime, coined A. D. 1855, silver; one dollar, coined A. D. 1860, California gold; one cent, coined A. D. 1843, copper; one half dime, coined A. D. 1867, nickel; one cent, coined A. D. 1859, nickel; one union medal, coined A. D. 1863, nickel.

Names of monument commission and architects.

Copy of oration delivered on occasion of laying corner stone, October 24, A. D. 1867.

Copy of programme on said occasion.

Copies of *Gazette*, *Mew Mexican*, and *Albuquerque Press*, newspapers published in this Territory.

List of military officers in battles of "Valverde," "Apache Canyon," and "La Glorietta."

Masonic relics.

Executive seal of New Mexico; seal of Secretary of New Mexico; seal of Supreme Court of New Mexico; seal of the First Judicial District Court of the United States for the Territory of New Mexico; specimens of United States postage stamps; specimens of United States fractional currency, as follows: One half dollar, issue of 1863; one quarter dollar, issue of 1863; one dime, issue of 1863; one half dime, issue of 1863.

It was the intention of the board to deposit the names of the dead, whose memory was thereby commemorated, but it was impossible to obtain them. If they can be obtained hereafter, they will be deposited in another part of the monument, with suitable reference.

MILITIA.

Under this head, my report is unavoidably meagre. There has never yet been a full and perfect organization of the militia in the Territory; the reason of which is that no provision, or at least no adequate provision is made for the payment of the different officers whose duty it is to make the enrollment and perfect the organization.

VOLUNTEER MILITIA.

Of organized volunteer milita, there is not one company in the Territory. The report of the Adjutant-General for the year 1865, carried sixteen (16) companies under this head, where in reality there was but one company fully organized as required by law. That company having ceased to exist, I have dropped them entirely from my report.

MILITIA LAW.

As our present militia law is entirely inoperative, in fact a dead letter, I quote, as relevant, from the report of the Adjutant General of Minnesota for the year 1866, as follows: "The constitution of the United States grants to Congress the authority to provide for organizing, arming and disciplining the militia; under this provision, Congress, by an act entitled An act more efficiently to provide for the national defense, by establishing a uniform militia throughout the United States, approved May 8, 1792, provided: that there shall be an Adjutant-General appointed in each State, whose duty it shall be to distribute all orders from the Commander-in-Chief of the State; to attend all public reveiws when the Commander-in-Chief shall review the militia; to obey all orders from him relative to carrying into execution and perfecting the system of military discipline; to furnish blank forms of different returns that may be required, and to explain the principles on which they were made; to receive from the several officers of the different corps, returns of the militia under their command, reporting the actual situation of arms, accoutrements and ammunition, their delinquencies and every other thing which relates to the general advancement of good order and discipline."

It is by the said act further provided: "that within one year after the passage of the act, the militia of the respective States shall be arranged into divisions, brigades, regiments, battalions and companies, as the Legislature of each State shall direct."

By an act of Congress, entitled An act in addition to an act to more effectually provide for the national defense, by establishing a uniform militia throughout the United States, it is further provided: "that it shall be the duty of the Adjutant General in each State to make returns of the militia of the State to which he belongs, with their arms, accoutrements and ammunition, agreeable to the directions of the acts of which this is an addition, to the President of the United States, annually, on or before the first Monday in each year."

Independent, then, of all State legislation, the Adjutant General is the constituted military medium between the State forces and the War Department; but the duties imposed upon him cannot be properly discharged without the necessary State legislation, regulating the militia and making proper provisions for its organization and equipment.

A law, providing for an effective enrollment, becomes absolutely necessary, as a basis for a well organized militia, and I respectfully invite the attention of your Excellency to the propriety of urging upon the Legislature the early passage of such law.

A militia law should be sufficiently explicit to designate the duties of each and every officer and person charged with duties thereby, in order that no doubt may be entertained as to who shall perform such duties; and in every case such officer or person should be held strictly accountable for the faithful discharge of any duty assigned him.

In the matter of ordnance and ordnance stores the Territorial ordnance officer should have entire control, and all issues thereof should be made on requisition of the Commander-in-Chief, and then only on bonds, with good and sufficient security for the safe return of the same, being given. Had such a provision been embodied in our present militia law, we should have known the whereabouts, or at least who was responsible for the missing arms and ammunition, as shown under the head of "Ordnance and Ordnance Stores," the value of which was nearly six thousand dollars.

There should be within the Territory, subject to the call of the Commander-in-Chief, at least five companies of organized volunteer militia, each company to consist of not less than fifty, officers, non-commissioned officers, musicians and privates. As an inducement for the raising of such companies, the members thereof should be exempt from all involuntary jury duty and all poll taxes, and should receive reasonable pay for a certain number of drills and parades, to be provided for by law.

For the payment of the military expenses of the Territory, there should be a military poll tax levied and collected at the same time and in the same manner as other taxes are levied and collected, which tax should be under the control (when collected) of a military board, and should be paid out for none other than strictly military purposes.

In our present militia law, provision is made for a military poll tax, but so far as I can learn nothing has ever been collected under the act, or if collected, the various collectors have taken care that none of it reached the Territorial treasury.

The collection and full return of the military poll tax should be made *specially* binding on the collectors of the several counties throughout the Territory.

Volumes might be written on the various points necessary to perfect militia law. I think, however, I have already cited enough to show the necessity of a more perfect law than the one now in force, or, rather, now on our statutes.

I am, sir, very respectfully, &c., &c.,

HAL SAYR,
Adjutant General Colorado.

ANNUAL REPORT

OF THE

TERRITORIAL LIBRARIAN

OF COLORADO.

OFFICE TERRITORIAL LIBRARIAN,
GOLDEN CITY, COLORADO TERRITORY,

November 30, 1867.

The Honorable Legislature of Colorado Territory:

GENTLEMEN: I have the honor to submit my yearly report of the business done in this department during the year 1867.

Respectfully,
COLUMBUS NUCKOLLS,
Territorial Treasurer and Librarian.

Statement of the additions which have been made to the Territorial Library during the year beginning December 12th, 1866, to November 30th, 1867.

Law	49	volumes.
Natural History, Mineralogy, and Physics	22	"
Reports, United States and States and Territories	57	"
Miscellaneous	16	"
Total number	144	"

I would also state that my deputy, E. L. Berthoud, Esq., of Golden City, has obtained from the Smithsonian Institute, for our Territorial Library, twenty volumes of their publications in folios and quarto, which makes a very valuable addition to our library of original publications specially devoted to the natural history and physics of the United States. He also informs me that he has applied for the last series of American Archives, published at Washington, with some certainty of success, and with a favorable report from the library committee.

I would respectfully ask for the appropriation of a small yearly sum, not exceeding $500.00, for the purpose of defraying the following necessary expenses, to render the library more useful and available, viz.:

For binding	$200.00
For the purchase of books and maps solely referring to the history and geography of the United States and especially of Louisiana, and the Territories west of the Rocky Mountains	200.00
For the subscription cost of scientific and mining publications for Territorial Library	100.00
Total amount	$500.00

Respectfully, your obedient servant,
COLUMBUS NUCKOLLS,
Territorial Treasurer and Librarian.

ANNUAL REPORT

OF THE

SUPERINTENDENT PUBLIC INSTRUCTION

OF COLORADO.

OFFICE TERRITORIAL SUPERINTENDENT PUBLIC INSTRUCTION,
GOLDEN CITY, COLORADO TERRITORY,

November 20, 1867.

To the Honorable Legislature of Colorado Territory:

GENTLEMEN: I have the honor to submit the following report of the condition of the Public Schools of the Territory of Colorado for the year 1867.

Respectfully, your obedient servant,
COLUMBUS NUCKOLLS,
Territorial Treas. and Superintendent Public Instruction.

STATEMENT.

The reports required by law from the several counties of this Territory, have, up to this date, been received only from two—Pueblo and Clear Creek counties—which consequently gives me no material upon which I can give the summary of our Territorial schools as required by law. I regret this the more, as my deputy and assistant, E. L. Berthoud, Esq., began in March, 1867, to require reports of all matters pertaining to our public schools throughout Colorado Territory. To aid and

facilitate this, he caused to be printed, and personally sent and arranged reports in blank, of all the minutiæ and all matters of interest relating to our public schools, and has distributed them to all the counties, with instructions complete to enable them to be promptly filled out and returned. Together with the required school reports, he also sent blank reports in accordance with Territorial law, upon which the school mining claims, numbered, named and described, could be reported to the Territorial Treasurer and Superintendent of public Instruction. In this, however, I have met with no success, receiving a report only from Clear Creek county and Gilpin county, which, up to date, have alone complied with the law.

I would respectfully suggest to the Honorable Legislature, that inasmuch as the laws of the Territory in reference to school mining claims are either disregarded or disputed, and the disposition of the same and of the proceeds of their sale not properly attended to, and the generous provisions of our Territorial laws in respect to the special school fund, not adequately guarded or guaranteed to the school fund, that the management, disposition and care of the same in the several mining counties, be more rigidly defined, and placed beyond the contingency of careless and irresponsible acts, or the indifference of those whose ill paid services do not incite to more vigilant care of such responsible and precious funds as those that accrue to our common schools from the sale of school mining claims.

It has been suggested that the bonds of County Superintendents might be submitted for approval and examination to the Territorial Treasurer and Superintendent of Public Instruction, before their acts in relation to the sale and disposition of the school property could be either begun or consummated.

I would also state that several counties have never, even when requested, informed the Superintendent of Public Instruction who was, or who had been County Superintendent; and that it it not yet known to him whether there are any in those counties, whose bonds have been filed, or whether there is any responsible county organization.

The laws of our Territory prescribe certain reports and returns to be made yearly, or when asked for by the Territorial Superintendent of Public Instruction, but there is no penalty available to compel such if neglected. We would respectfully ask that a law be passed empowering the Territorial Superintendent to ask for reports of school funds, mining claims, and all expenditures at any time, if not punctually made.

Respectfully, your obedient servant,

COLUMBUS NUCKOLLS,

Territorial Treas. and Superintendent Public Instruction.